

Message Text

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ACTION DLOS-05

INFO OCT-01 EUR-12 NEA-09 IO-10 ISO-00 ACDA-05 AGR-05

AID-05 CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01

COME-00 DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01

H-02 INR-07 INT-05 JUSE-00 L-02 NSAE-00 NSC-05 NSF-01

OES-03 OMB-01 PA-01 PM-03 PRS-01 SP-02 SS-15 USIA-06

FEA-01 /125 W

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R 070942Z MAR 75

FM AMEMBASSY ISLAMABAD

TO SECSTATE WASHDC 9093

INFO AMEMBASSY THE HAGUE

AMEMBASSY NEW DELHI

USMISSION USUN NEW YORK

USMISSION GENEVA

AMEMBASSY DACCA

C O N F I D E N T I A L ISLAMABAD 2030

FOR D/LOS AND NEA/PAB

E.O. 11652: GDS

TAGS: PLOS, PK

SUBJ: PAKISTAN POSITIONS ON LAW OF THE SEA MATTERS

REF: A) A-1229; B) ISLAMABAD 224; AND C) ISLAMABAD 1410

1. INTRODUCTION AND SUMMARY: EMBOFF MARCH 6 MET WITH
MFA LEGAL ADVISOR A. G. CHAUDHARY TO DISCUSS GOP
POSITIONS ON LOS MATTERS. IN COURSE OF CONVERSATION,
CHAUDHARY: REVEALED THAT GOP HAS MODIFIED ITS POSITION
ON ISSUES OF RIGHTS OF LANCLOCKED COUNTRIES, GRECO/
TURK TERRITORIAL WATERS ISSUE AND RIGHT TO TRANSIT
STRAITS; CLAIMED MAJOR US/PAK DIFFERENCES DEAL WITH
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RESEARCH IN ECONOMIC ZONE, POLLUTION, AND RIGHT TO

TRANSIT ARCHIPELAGIC WATERS; NOTED THAT PAKS WILL BE INCLUDED AMONG GROUP OF 77 WHO WILL MEET ON LOS PRIOR TO GENEVA CONFERENCE; DISCLOSED THAT PAKS STUDYING QUESTION OF BILATERAL DELINEATION OF TERRITORIAL WATERS WITH INDIANS; AND REVEALED THAT BLOC DIPLOMATS LOBBYING HARD HERE ON LOS. END INTRODUCTION AND SUMMARY.

2. ACCORDING TO CHAUDHARY, GOVERNMENT OF PAKISTAN HAS MODIFIED ITS POSITION ON THREE LOS ISSUES: THAT OF LANDLOCKED COUNTRIES; THE GRECO/TURK TERRITORIAL WATERS ISSUE; AND QUESTION OF RIGHT OF TRANSIT THROUGH STRAITS. ON FIRST, PAKS HAVE DROPPED THEIR INSISTENCE ON RIGHT OF RECIPROCITY OF TRANSIT IN RETURN FOR ALLOWING LANDLOCKED COUNTRIES (READ AFGHANISTAN) TO TRANSIT THEIR TERRITORY. CHAUDHARY RECALLED HOW PAKS HAD AGGRESSIVELY TAKEN LEAD ON THIS ISSUE AT SEVERAL RECENT CONFERENCES BUT, REALIZING HOW ISSUE HAS POTENTIAL FOR VITIATING GROUP OF 77 UNITY, THEY ARE SUBSTANTIALLY MODIFYING THEIR STANCE. ON GRECO/TURK ISSUE, DUE TO SUBSTANTIAL PRESSURE FROM THE TURKS (WHOM THEY REGARD AS ONE OF THEIR CLOSEST FRIENDS) PAKS WILL NOW FOLLOW THEM IN MAINTAINING THAT THIS IS A SPECIAL QUESTION. THUS, ALTHOUGH THEY WILL CONTINUE TO SUPPORT 12 MILE TERRITORIAL LIMIT FOR MOST OF THE WORLD, THEY WILL HOLD THAT EASTERN AEGEAN IS A SPECIAL, REGIONAL MATTER AND SHOULD BE TREATED SEPARATELY. ON QUESTION OF TRANSIT THROUGH STRAITS, CHAUDHARY SAYS THAT PAK POSITION NOW SUBSTANTIALLY IN AGREEMENT WITH THAT OF U.S., AND THAT THEY, LIKE US, FEEL THAT QUESTION OF AIRCRAFT OVERFLIGHTS SHOULD BE CONSIDERED IN A SEPARATE FORUM.

3. GOVERNMENT OF PAKISTAN POSITIONS, CHAUDHARY REVEALED, NOW SUBSTANTIALLY DIFFER FROM THOSE OF U.S. ON THREE ISSUES: (A) RIGHT OF RESEARCH IN THE ECONOMIC ZONE; (B) QUESTION OF RESPONSIBILITIES FOR POLLUTION IN THE ECONOMIC ZONE; (C) AND ISSUE OF RIGHT OF TRANSIT THROUGH ARCHIPELAGIC WATERS. ON LAST POINT PAKS SAY THEY WILL CONTINUE TO CONSIDER THIS AS SEPARATE FROM THE QUESTION OF RIGHT TO TRANSIT STRAITS.

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4. AS REPORTED REF B, PAKS, PRIOR TO MARCH 17 OPENING OF GENEVA LOS CONFERENCE, PLAN TO SEND TWO-MAN DELEGATION TO PRE-CONFERENCE SESSION OF GROUP OF 77 WHICH WILL ATTEMPT TO ESTABLISH COMMON THIRD WORLD POSITION ON LOS MATTERS. MEETING, CHAUDHARY SAID, WILL BEGIN MARCH 10 AND HE HOPES PAKS WILL BE REPRESENTED THERE BY THEIR AMBASSADOR IN THE HAGUE, KHARAS, AND KHALID MAHMOOD, WHO IS FIRST SECRETARY AT PAK MISSION IN

NEW YORK. AS REPORTED REF C, BOTH THESE MEN WILL BE PART OF REGULAR DELEGATION TO GENEVA CONFERENCE.

5. DELINEATION OF INDO-PAK MARITIME ZONE MAY COME ABOUT THROUGH BILATERAL, RATHER THAN UNILATERAL ACTION AS REPORTED REF C, PARA 5. CHAUDHARY TOLD EMBOFF THAT GOP IS CONSIDERING NEGOTIATING ISSUE WITH GOI ON BASIS OF INFORMAL GUIDELINES WHICH ARE BEGINNING TO EMERGE FROM LOS CONFERENCES. INDIAN DELEGATES TO RECENT TEHRAN MEETING OF AFRO-ASIAN LEGAL CONSULTATIVE COMMITTEE, HE CLAIMS, WERE INTERESTED IN DELINEATING ZONE BEFORE EITHER NATION STRIKES OIL IN WHAT MIGHT BE A DISPUTED AREA. RECENT UNILATERAL DELINEATION OF ITS MARITIME ZONE BY BANGLADESH HAS BEEN EMBARRASSING FOR INDIA, CHAUDHARY REPORTS INDIAN DELEGATES SAID, THUS GOI ANXIOUS TO PRECLUDE SAME THING HAPPENING IN RANN OF KUTCH AREA. MFA, INCLUDING DIRGEN (INDIA) SATTAR HAS APPROVED NEGOTIATING MATTER WITH GOI, CHAUDHARY STATED, AND MATTER NOW RESTS WITH MINISTRY OF FUEL, POWER AND NATURAL RESOURCES.

6. SOVIET AND OTHER BLOC COUNTRIES' AMBASSADORS HAVE BEEN IN TO SEE HIM "SEVERAL TIMES" ON LOS MATTERS, CHAUDHARY REVEALED, AND HAVE OFFERED TO HORSE TRADE ON VARIOUS LOS ISSUES (UNSPECIFIED). LEGAL ADVISOR, HOWEVER, STATED A PAK DISINCLINATION TO INDULGE IN SUCH ACTIVITIES.
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